REMARKS

1. Introduction

In the Office Action mailed January 29, 2010, the Examiner rejected claims 1-15 under 35 U.S.C. § 103(a) as being unpatentable over Hashimoto et al., U.S. Pub. No. 2002/0053024 ("Hashimoto") in view of Nguyen et al., U.S. Pub. No. 2002/0116615 ("Nguyen"), and the Examiner rejected claims 16-88 under 35 U.S.C. § 103(a) as being unpatentable over Hashimoto in view of Nguyen and Reeder, U.S. Patent No. 6,141,652 ("Reeder").

In response, Applicant has amended claims 1 and 12.

For the reasons set forth below, Applicant requests reconsideration and allowance of the application, as amended herein.

2. Response to the claim rejections

a. Claims 1-15

Of these claims, claim 1 is independent. The Examiner has rejected claim 1 as being unpatentable over Hashimoto in view of Nguyen. In response, Applicant has amended claim 1 to recite, *inter alia*, that the security module is "arranged to decrypt an encrypted software program to recover an identification code thereform, to enable execution of the software program by the processor to generate a simulation of the game when the recovered identification code matches the unique identification code associated with the processor module, and to disable execution of the software program when the recovered identification does not match the unique identification code associated with the processor module." This amendment is supported by Applicant's specification, for example, at page 15, lines 6-20. Applicant submits that amended claim 1 is clearly allowable over Hashimoto in view of Nguyen, as set forth below.

In rejecting claim 1, the Examiner alleged that Hashimoto teaches a "security module being arranged to enable execution of the software program by the processor when the program is encrypted with the unique identification code associated with the processor module, and to disable execution of the software when the software program is encrypted with a code that is different from the unique identification code associated with the processor module." *See* Office Action, p. 3. As basis for this allegation, the Examiner argued that Hashimoto's system "will not be able to decrypt [a] program [that] is encrypted with another key not associated with the terminal [and] therefore will not be able to run it," specifically citing to paragraphs 15 and 23. *See* Office Action, pp. 3-4.

In this regard, paragraph 23 discloses "a decryption unit configured to decrypt the execution file received by the second receiving unit by using a secret key corresponding to the public key." But amended claim 1 specifies that the security module is arranged decrypt an encrypted software program to *recover* an identification code therefrom and to either enable or disable execution of the software program by the processor, depending on whether the *recovered* identification code matches or does not match the unique identification code associated with the processor module. In contrast, Hashimoto does not teach such use of an identification code that is recovered by decrypting an encrypted software program.

Nguyen also does not make up for this deficiency in Hashimoto. Nguyen discloses that a destination gaming device may decrypt a download message that includes gaming software. *See* paragraph 153, lines 5-8. But the destination gaming device does not recover an identification code from this decryption. Instead, the destination gaming device may generate a digital signature for the gaming software *after* it has been decrypted, using an algorithm such as a CRC or hash algorithm. *See* paragraph 153, lines 8-10.

Accordingly, Applicant submits that claim 1, as amended, is allowable over Hashimoto and Nguyen for at least the foregoing reasons. Applicant further submits that claims 2-15 are allowable for at least the reason that they depend from an allowable claim.

b. Claims 16-23

Of these claims, claim 16 is independent. The Examiner has rejected claim 16 as being unpatentable over Hashimoto in view of Nguyen and Reeder. In response, Applicant submits that the rejection is improper and should be withdrawn because the Hashimoto/Nguyen/Reeder combination does not teach each and every element of claim 16, as set forth below.

Claim 16 recites, *inter alia*, "decrypting the encrypted software program to obtain a decrypted identification code therefrom." In rejecting claim 16, the Examiner admitted that Hashimoto does not teach this element. *See* Office Action, p. 7. Instead, the Examiner relied on Reeder. Specifically, the Examiner argued that Redeer teaches "confirming the unique identifier encrypted into the software with another stored instance of the unique identifier in order to confirm a match." *Id.*

However, the Examiner's reliance on Reeder is improper because Reeder does not teach a "unique identifier encrypted into the software" as the Examiner has alleged. Instead, Reeder teaches that the unique identifier code is simply included in the program that is transferred to apparatus 100. *See* col. 5, lines 50-53. Because the unique identifier is not encrypted into the software in Reeder's approach, Reeder cannot possibly teach "decrypting the encrypted software program to obtain a decrypted identification code therefrom," as recited in claim 16. In fact, what apparatus 100 in Reeder decrypts is a data portion of a return message, not an encrypted software program. *See* col. 6, lines 19-26. For at least this reason, Reeder does not make up for the admitted deficiency in Hashimoto.

The Examiner's reliance on Reeder is also improper because claim 16 recites "a unique identifier *associated with the processor module*." In contrast, Reeder teaches that the unique identifier code is generated to uniquely identify the downloaded copy of the program. *See* col. 5, lines 42-45. Thus, the "unique identifier code" in Reeder is associated with a copy of a program, not associated with a processor module as recited in claim 16. For this reason also, Reeder does not make up for the admitted deficiency in Hashimoto.

Nguyen also does not make up for the admitted deficiency in Hashimoto. Nguyen discloses that a destination gaming device may decrypt a download message that includes gaming software. *See* paragraph 153, lines 5-8. But the destination gaming device does not obtain an identification code from this decryption. Instead, the destination gaming device may generate a digital signature for the gaming software *after* it has been decrypted, using an algorithm such as a CRC or hash algorithm. *See* paragraph 153, lines 8-10.

Accordingly, Applicant submits that claim 16 is allowable over Hashimoto, Nguyen, and Reeder for at least the foregoing reasons. Applicant further submits that claims 17-23 are allowable for at least the reason that they depend from an allowable claim.

c.   **Claims 24-43**

Of these claims, claim 24 is independent. The Examiner has rejected claim 24 as being unpatentable over Hashimoto in view of Nguyen and Reeder. In response, Applicant submits that the rejection is improper and should be withdrawn because the Hashimoto/Nguyen/Reeder combination does not teach each and every element of claim 24, as set forth below.

Claim 24 recites, *inter alia*, a "security module being capable of decrypting the downloaded encrypted software program to obtain therefrom a decrypted identification code." In rejecting claim 24, the Examiner admitted that Hashimoto does not teach this element. *See*

Office Action, p. 11. Instead, the Examiner relied on Reeder. Specifically, the Examiner argued that Reeder teaches "confirming the unique identifier encrypted into the software with another stored instance of the unique identifier in order to confirm a match." *See* Office Action, p. 12.

However, Reeder does not make up for the admitted deficiency in Hashimoto because Reeder teaches decrypting a data portion of a return message, rather than decrypting a downloaded encrypted software program, as recited in claim 24. *See* col. 6, lines 19-26. In addition, Reeder's "unique identification code" is associated with a particular copy of a program, not with a particular player station, as recited in claim 24. *See* col. 5, lines 42-45.

Nguyen also does not make up for the admitted deficiency in Hashimoto. Nguyen discloses that a destination gaming device may decrypt a download message that includes gaming software. *See* paragraph 153, lines 5-8. But the destination gaming device does not obtain an identification code from this decryption. Instead, the destination gaming device may generate a digital signature for the gaming software *after* it has been decrypted, using an algorithm such as a CRC or hash algorithm. *See* paragraph 153, lines 8-10.

Accordingly, Applicant submits that claim 24 is allowable over Hashimoto, Nguyen, and Reeder for at least the foregoing reasons. Applicant further submits that claims 25-43 are allowable for at least the reason that they depend from an allowable claim.

d.   Claims 44-51

Of these claims, claim 44 is independent. The Examiner has rejected claim 44 as being unpatentable over Hashimoto in view of Nguyen and Reeder. In response, Applicant submits that the rejection is improper and should be withdrawn because the Hashimoto/Nguyen/Reeder combination does not teach each and every element of claim 44, as set forth below.

Claim 44 recites, *inter alia*, "decrypting the downloaded encrypted software program to obtain therefrom a decrypted identification code." In rejecting claim 44, the Examiner admitted that Hashimoto does not teach this element. *See* Office Action, p. 18. Instead, the Examiner relied on Reeder. Specifically, the Examiner argued that Reeder teaches "confirming the unique identifier encrypted into the software with another stored instance of the unique identifier in order to confirm a match." *Id.*

However, Reeder does not make up for the admitted deficiency in Hashimoto because Reeder teaches decrypting a data portion of a return message, rather than decrypting a downloaded encrypted software program, as recited in claim 44. *See* col. 6, lines 19-26. In addition, Reeder's "unique identification code" is associated with a particular copy of a program, not with a particular player station, as recited in claim 44. *See* col. 5, lines 42-45.

Nguyen also does not make up for the admitted deficiency in Hashimoto. Nguyen discloses that a destination gaming device may decrypt a download message that includes gaming software. *See* paragraph 153, lines 5-8. But the destination gaming device does not obtain an identification code from this decryption. Instead, the destination gaming device may generate a digital signature for the gaming software *after* it has been decrypted, using an algorithm such as a CRC or hash algorithm. *See* paragraph 153, lines 8-10.

Accordingly, Applicant submits that claim 44 is allowable over Hashimoto, Nguyen, and Reeder for at least the foregoing reasons. Applicant further submits that claims 45-51 are allowable for at least the reason that they depend from an allowable claim.

e.   **Claims 52-75**

Of these claims, claim 52 is independent. The Examiner has rejected claim 52 as being unpatentable over Hashimoto in view of Nguyen and Reeder. In response, Applicant submits

that the rejection is improper and should be withdrawn because the Hashimoto/Nguyen/Reeder combination does not teach each and every element of claim 52, as set forth below.

Claim 52 recites, *inter alia*, a "security module being capable of decrypting the downloaded encrypted software program to obtain therefrom a decrypted identification code." In rejecting claim 52, the Examiner admitted that Hashimoto does not teach this element. *See* Office Action, p. 22. Instead, the Examiner relied on Reeder. Specifically, the Examiner argued that Reeder teaches "confirming the unique identifier encrypted into the software with another stored instance of the unique identifier in order to confirm a match." *See* Office Action, p. 23.

However, Reeder does not make up for the admitted deficiency in Hashimoto because Reeder teaches decrypting a data portion of a return message, rather than decrypting a downloaded encrypted software program, as recited in claim 52. *See* col. 6, lines 19-26. In addition, Reeder's "unique identification code" identifies a particular copy of a program, rather than a processor module, as recited in claim 52. *See* col. 5, lines 42-45.

Nguyen also does not make up for the admitted deficiency in Hashimoto. Nguyen discloses that a destination gaming device may decrypt a download message that includes gaming software. *See* paragraph 153, lines 5-8. But the destination gaming device does not obtain an identification code from this decryption. Instead, the destination gaming device may generate a digital signature for the gaming software *after* it has been decrypted, using an algorithm such as a CRC or hash algorithm. *See* paragraph 153, lines 8-10.

Accordingly, Applicant submits that claim 52 is allowable over Hashimoto, Nguyen, and Reeder for at least the foregoing reasons. Applicant further submits that claims 53-75 are allowable for at least the reason that they depend from an allowable claim.

f.   Claims 76-88

Of these claims, claim 76 is independent. The Examiner has rejected claim 76 as being unpatentable over Hashimoto in view of Nguyen and Reeder. In response, Applicant submits that the rejection is improper and should be withdrawn because the Hashimoto/Nguyen/Reeder combination does not teach each and every element of claim 76, as set forth below.

Claim 76 recites, *inter alia,* "decrypting the downloaded encrypted software program to obtain therefrom a decrypted identification code." In rejecting claim 76, the Examiner admitted that Hashimoto does not teach this element. *See* Office Action, p. 29. Instead, the Examiner relied on Reeder. Specifically, the Examiner argued that Reeder teaches "confirming the unique identifier encrypted into the software with another stored instance of the unique identifier in order to confirm a match." *See* Office Action, p. 30.

However, Reeder does not make up for the admitted deficiency in Hashimoto because Reeder teaches decrypting a data portion of a return message, rather than decrypting a downloaded encrypted software program, as recited in claim 76. *See* col. 6, lines 19-26. In addition, Reeder's "unique identification code" identifies a particular copy of a program, rather than a processor module, as recited in claim 76. *See* col. 5, lines 42-45.

Nguyen also does not make up for the admitted deficiency in Hashimoto. Nguyen discloses that a destination gaming device may decrypt a download message that includes gaming software. *See* paragraph 153, lines 5-8. But the destination gaming device does not obtain an identification code from this decryption. Instead, the destination gaming device may generate a digital signature for the gaming software *after* it has been decrypted, using an algorithm such as a CRC or hash algorithm. *See* paragraph 153, lines 8-10.

Accordingly, Applicant submits that claim 76 is allowable over Hashimoto, Nguyen, and Reeder for at least the foregoing reasons. Applicant further submits that claims 77-88 are allowable for at least the reason that they depend from an allowable claim.

3. Conclusion

Applicant submits that the present application is in condition for allowance, and notice to that effect is hereby requested. Should the Examiner feel that further dialog would advance the subject application to issuance, the Examiner is invited to telephone the undersigned at any time at (312) 913-0001.

Respectfully submitted,

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